

Criminal Justice Policy Board
Minutes of January 8, 2015
Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, RI 02857

MEMBERS/DESIGNEES PRESENT:

Major Michael P. Quinn, Johnson and Wales University, Chair, (voting member)
Ms. Gina Caruolo, R.I. Department of Corrections, designee of Director A.T. Wall
(voting member)
Lt. Colonel Karen Pinch, designee of Colonel Steven O'Donnell Superintendent, R.I. State Police
(voting member)
Ms. Marisa White, designee of The Honorable Paul Suttell, Chief Justice, Supreme Court of R.I.,
(voting member)
Chairperson Eva-Marie Mancuso, Chair, R.I. Board of Education, (voting member)
Ms. Linda Mahoney, designee of Director Craig Stenning, Behavior Healthcare, Development
Disabilities, and Hospitals (BHDDH), (voting member)
Chief Brian Sullivan, President elect, R.I. Police Chiefs' Association, designee of Chief Elwood
Johnson Jr., current President of RI Police Chiefs Association (voting member)
Marshal Jack Chartier, State Fire Marshal, (voting member)
Mr. Jonathan Houston, Justice Assistance, (voting member)
Ms. Debra DeBare, R.I. Coalition Against Domestic Violence, (voting member)
Mr. Daniel Knight, Salve Regina University, (voting member)
Mr. Robert O'Neil, Public Member, (voting member)
Ms. Alisa Moretti, designee of Mr. Carl Weinberg, (voting member)
Deputy Attorney General Gerald Coyne, Designee of Attorney General Peter F. Kilmartin,
(voting member)
Ms. Jennifer Olivelli, Designee of Presiding Justice Alice B. Gibney, Superior Court of R.I.,
(voting member)
Mr. Kevin McKenna, Designee of Dr. Janice DeFrances, R.I. Department of Children, Youth, and
Families, (voting member)
The Honorable Haiganush Bedrosian, Chief Judge of the Family Court of Rhode Island,
(voting member)
Mr. Stephen Waluk, District Court of R.I., designee of Chief Judge Jeanne LaFazia of the District
Court (voting member)
Mr. Kevin Richard, RI Family Court

R.I. DEPARTMENT OF PUBLIC SAFETY:

Lieutenant Colonel Karen D. Pinch, Commanding Officer
Captain Kevin Barry, Executive Officer
Ms. Danica A. Iacoi, Legal Counsel

PUBLIC SAFETY GRANTS ADMINISTRATION OFFICE:

Mr. Thomas Mongeau, Administrative Manager
Ms. Gail Pereira, Grant Manager
Mr. David LeDoux, Grant Manager

1. Welcome and Introductions – Major Michael P. Quinn, Chairman of the Criminal Justice Policy Board:

Major Quinn welcomed everyone and called the meeting to order. Introductions were made.

2. Approval of September 17, 2014 Policy Board Meeting Minutes:

Marshall Chartier moved:

TO APPROVE THE SEPTEMBER 17, 2014 POLICY BOARD MEETING MINUTES AS PRESENTED.

Deputy Coyne seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE

3. Discussion/Approval of the federal FY 2014 Paul Coverdell Forensic Science Improvement Grant, Gail Pereira

Ms. Pereira informed the Board members that the FY 2014 Paul Coverdell Forensic Science Improvement Grant has been awarded to the State of Rhode Island in the amount of \$63,029.00. Of this amount the Public Safety Grant Administration Office would retain 10%, or \$6,302.00 to fund grant related planning and administration.

The Rhode Island State Crime Laboratory, at the University of Rhode Island, proposes to use \$14,181.75 of the total award toward the cost of continuing education for laboratory personnel in conjunction with laboratory accreditation and personnel certification. Funding from the grant would provide for travel, per diem and registration for conferences related to their discipline.

The RI Department of Health Laboratory, Forensic Science Unit will use \$14,181.75 to partially fund a Quality Assurance Officer for the Forensic Science Unit.

The Department of Health, Office of the State Medical Examiner will use \$14,181.75 to pay for a staff member to attend training and certification at the American Board of Medicolegal Death Investigator's Conference and to purchase assorted equipment and supplies.

The RI State Police, Criminal Identification Unit will use \$14,181.75 for a member to attend the International Association for Identification Annual Conference, assorted equipment and supplies for the unit, additional training expenses and accreditation consultant fees.

Marshall Chartier moved:

TO APPROVE TO RECOMMENDED APPROPRIATIONS FOR THE FY 2014 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANT PROGRAM

The motion was seconded by Judge Bedrosian

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

4. Discussion/Approval of Amended Project Amounts for the FY 2014 Violence Against Women Act Award, David LeDoux

Mr. LeDoux explained that the 2014 STOP VAWA plan is “year one” of a three-year plan (2014 –2016). The 2014 award of \$955,936 was penalized 5% due to the state’s anticipated compliance with mandates the Prison Rape Elimination Act (PREA). The penalized amount, \$45,407, remains in the 2014 STP VAWA award, but must be used to assist the state with achieving compliance with PREA mandates.

The amended project amounts resulted from having taken the 5% PREA penalty “off-the-top” of the award which affected the administrative and ALL programmatic line items. However, OVW determined, subsequent to initial state planning activities, that the PREA penalty would not apply to the Court’s allocation OR to the RIPSGAO’s planning and administration allocation. Removing the penalty from these two areas results in all of the other areas needing to be amended slightly.

The VAWA Advisory Committee met on September 5 to approve the original 2014 allocations and then again on November 25, 2014 to approve the amended allocations. The Policy Board had voted in the September meeting to approve the original allocations.

Marshall Chartier moved:

TO APPROVE THE AMNEDED ALLOCATIONS FOR THE DISTRIBUTION OF FY 2014 VIOLENCE AGAINST WOMEN ACT, STOP GRANT

Deputy Coyne seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

5. Discussion / Approval of A Change of Scope Request for Previously Approved 2013 Byrne Grant Allocation to Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, David LeDoux

Mr. LeDoux explained that the Criminal Justice Steering Committee met on August 21, 2014 and again on November 7, 2014 to discuss and review a change of scope request of the previously approved 2013 Byrne/JAG allocation of \$112,780 to the RI Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH) for the “Transitioning to Community” program.

BHDDH officials had provided a written response to several questions and concerns raised about the proposed scope change and new “pilot” program. After review of the BHDDH response, the Steering Committee voted unanimously to approve the new project entitled, “Transfer to Recovery” at the November 7, 2014 meeting. However, BHDDH only required \$108,000 for the new project which rendered the balance of \$4,780 as “unobligated”.

BHDDH will move forward with an RFP will take no longer than 3 months to complete to include the posting process, bid period and technical review. They expect to have providers in place by January, 2015. They anticipate that all of the 2013 Byrne JAG funds will be expended by 6/30/15.

The 2013 Byrne/JAG funds will support 20 program participants for an anticipated 6 month period. BHDDH funds will also support the cost for another 10 participants and vendor costs associated with data collection, participant incentives and program supervision.

Ms. Eva Marie Mancuso moved:

TO APPROVE THE CHANGE OF SCOPE TO THE 2013 BYRNE GRANT AWARD TO THE BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS IN THE AMOUNT OF \$108,000, LEAVING \$4,789.00 OF THE ORIGINALLY APPROVED AMOUNT UNOBLIGATED.

Deputy Coyne seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

6. New Business

Eva Mancuso expressed concern that the federal Violence Against Women Act (VAWA) definitions regarding domestic violence and sexual assault are not the same as RI state law definitions. She mentioned the work of her committee at the Department of Education which was stalled due to the differing definitions for DV and SA. While addressing the manner in which reported sexual assaults are being handled at numerous colleges and universities the need for policy is preempted by the need for consistent definitions. She suggested that the Policy Board may want to look at this as the state develops policies and procedures to address the crimes of DV and SA on college and university campuses.

Chair Michael Quinn agreed that the Policy Board should be concerned with incongruence between state law and guidance from the federal government, however, this is a legislative issue and an initiative was currently underway by Attorney General Kilmartin and Senator Whitehouse to address the issues surrounding sexual assault and VAWA on college campuses.

Ms. Mancuso wanted to ensure that there is consistency among the state's colleges and universities both public and private.

There was additional discussion regarding the importance of having a college/university representative from on the working group that is addressing the matter being led by the Attorney General and Senator Sheldon Whitehouse. RICADV Executive Director Deb DeBare indicated that she would like to be involved as well. Ms. Mancuso said that Peg Langhammer from the Sexual Assault Coalition is already in the working group.

Mr. Quinn also noted that legislation had been entered in the House of Representatives this week that would mandate that colleges and universities would report any reported sexual assaults regardless of the desire of the victim to prosecute.

There was further discussion that this legislation could have problematic effects if passed as written. There was concern raised that victims might be hesitant to report these assaults to the institution if they know it will be reported to the police against their wishes.

Gina Caruolo stated that the current issues in this matter are very similar to the issues that were raised in the nationwide Prison Rape Elimination Act certification process. Inconsistent definitions and a lack of sufficient policies have resulted in most states being unable to certify compliance with enacted standards and have resulted in grant penalties.

All parties agreed that this is an important endeavor that must be worked on.

Adjourn:

Mr. Houston moved:

TO ADJOURN THE MEETING.

Deputy Coyne seconded the motion.

**THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE, AND
THE MEETING WAS ADJOURNED.**

Respectfully submitted,

Approved by:

Thomas Mongeau
Administrative Manager, Recorder

Major Michael P. Quinn, Chair
Criminal Justice Policy Board